

REMARKS

The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

35 U.S.C. §102(e) Rejection – Boariu

The Examiner has rejected claims 1-15 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,865,237 issued to Boariu et al. (hereinafter "Boariu"). The Applicant respectfully submits that the present claims are allowable over Boariu.

Claim 1 recites a method comprising "*receiving information for transmission to a receiver; and generating a plurality of sub-carriers to redundantly transmit the information to a user over a multi-carrier wireless communication channel, wherein each of the sub-carriers is modified by a set of complex weights to ensure that each of the sub-carriers of the wireless communication channel propagates along a different physical path to the receiver*". Boariu does not teach or suggest these limitations.

Boariu pertains to using a space-time block code to reduce bit error rates of a wireless communication in a spread spectrum receiver. See e.g., the Field of the Invention. As discussed in the Abstract, a coder (308) is arranged to code complex symbols to channel symbols using a code matrix. Specific features of the code matrix are mentioned in the abstract.

However, Boariu does not teach or suggest that "*each of the sub-carriers is modified by a set of complex weights to ensure that each of the sub-carriers of the wireless communication channel propagates along a different physical path to the receiver*". The Examiner apparently relies on Figure 3, the Abstract, column 24, lines 32-62, and column 8, lines 9-35 of Boariu as disclosing these limitations. However, the

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Applicant has carefully reviewed these sections of Boariu, and has found that these particular sections absolutely do not teach or suggest modifying sub-carriers by a set of complex weights to ensure that each of the sub-carriers propagate along a different physical path to the receiver.

Accordingly, independent claim 1 and its dependent claims are believed to be allowable over Boariu. Independent claim 7 and its dependent claims are believed to be allowable for similar reasons.

Furthermore, due to the mathematically-intensive nature of Boariu, the Applicant respectfully requests that if the Examiner intends to maintain the rejection on Boariu, that the Examiner specify with particularity where the claimed complex weights limitations are disclosed in Boariu.

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Conclusion

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance. Applicant respectfully requests that the rejections be withdrawn and the claims be allowed at the earliest possible date.

Request For Telephone Interview

The Examiner is invited to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

Request For An Extension Of Time

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

Charge Our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 6/26/06

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